

### **Remarks**

In response to the Examiner's comments in section 1 of the Office Action the applicant confirms election of group I (claims 1-13). Claims 14 to 23 are withdrawn, but remain pending.

Claim 1 has been amended to incorporate the features of claim 4 and claim 4 has been cancelled. Further basis can be found in the specification on page 17 lines 8-11. Corresponding amendments have also been made to independent claims 10 and 12.

In section 3 of the Office Action the Examiner rejects claim 1 under 35 USC §102(b) as being anticipated by Chu et al (US 5,890,055). Reconsideration is requested.

Chu describes a "method and system for connection cells and microcells in a wireless communications network" (Chu, title). Chu does describe "a wireless communication system for communicating data". However, Chu does not disclose a system in which "a common modulated radio frequency carrier signal is used in a distribution network and a said WLAN to communicate said data between a said subscriber equipment and the base station" (this application, claim 1). Instead in the system of Chu a millimeter wave radio link is used for the distribution network and a PCS carrier frequency is used for the link to the subscriber equipment (Chu, column 2 lines 9-21). The present invention as defined by the amended claim 1 is therefore clearly distinct from the system of Chu and the applicants respectfully submit that the rejection of claim 1 cannot now be sustained.

The Examiner also cites Rypinski (US 5,461,627) which describes "an access protocol and method for a common channel wireless network" (Rypinski, abstract). In section 4 of the Office Action the Examiner argues that Rypinski discloses that "a common modulated radio frequency carrier signal is used in a distribution network and a said WLAN to communicate said data between a said subscriber equipment

and the base station". The applicants respectfully submit that this is not correct and directs the Examiner to Rypinski, column 6 lines 64-67 which explains that the signal used in the distribution network "is a base band representation of the radiated signal" (emphasis added). Consequently the present invention as defined by the amended claim 1 discloses an invention which is clearly not anticipated by Rypinski, since Rypinski does not disclose that "a common modulated radio frequency carrier signal is used in a distribution network and a said WLAN to communicate said data between a said subscriber equipment and the base station" (this application, claim 1, emphasis added) but instead Rypinski uses a different carrier signal in the distribution network and in a wireless network, and furthermore the signal used in the distribution network is not a radio frequency signal but a base band signal.

As neither Chu nor Rypinski disclose the feature of using "a common modulated radio frequency carrier signal" in the distribution network and in a WLAN, a skilled person could not combine the teachings to arrive at the present invention. Furthermore, a skilled person could not modify the teaching of Rypinski to use the same radio frequency carrier for both the distribution network and a wireless network because it is not possible to transmit radio frequency signals of the type used in WLAN networks over the unshielded telephone pairs which are used in the distribution network of Rypinski (Rypinski, Figure 4).

Consequently the present invention as defined by the amended claim 1 discloses an invention which is clearly not obvious having regard to this combination of prior art teachings and the applicants respectfully submit that the rejection of claim 1 under 35 USC 102 cannot be sustained.

The Examiner also rejects independent claims 10 and 12 under 35 USC 102(b) as being anticipated by Chu. As claims 10 and 12 have been amended in a corresponding manner to claim 1, the above arguments in relation to claim 1 are also

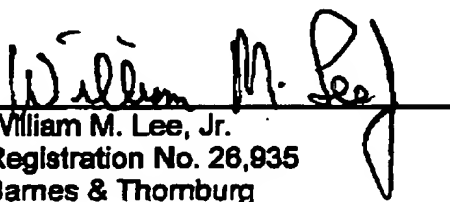
applicable. The applicants therefore respectfully submit that the rejection of these claims cannot also be sustained.

Detailed arguments are not presented in respect of the dependent claims, however the arguments of the Examiner should not be taken to be accepted.

In view of the fact that all of the Examiner's comments have been addressed further and favorable consideration is respectfully submitted.

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Respectfully submitted,

  
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